

AMENDED IN ASSEMBLY APRIL 26, 2012

AMENDED IN SENATE MAY 9, 2011

AMENDED IN SENATE APRIL 6, 2011

## SENATE BILL

No. 900

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Introduced by ~~Senator~~ *Senators Leno, Pavley, and Steinberg*

February 18, 2011

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An act to add Section 13388.1 to the Water Code, relating to water.  
*relating to mortgages.*

### LEGISLATIVE COUNSEL'S DIGEST

SB 900, as amended, ~~Steinberg~~ *Leno*. ~~California regional water quality control boards: members. Mortgages and deeds of trust: foreclosure.~~

*Existing law generally regulates mortgages and deeds of trust, including establishing procedures for foreclosure in the case of default.*

*This bill would express the intent of Legislature to enact legislation to amend the state's foreclosure laws to implement and make permanent the servicing standards and other provisions of the National Mortgage Settlement.*

~~Under existing law, the State Water Resources Control Board and the 9 California regional water quality control boards prescribe waste discharge requirements in accordance with the federal national pollutant discharge elimination system (NPDES) permit program established by the federal Clean Water Act and the Porter-Cologne Water Quality Control Act (state act).~~

~~The state act prescribes requirements and qualifications for the membership of the state board and the regional boards, and prohibits a person from being a member of the state board or a regional board if~~

~~that person receives or has received during the previous 2 years a significant portion of his or her income directly or indirectly from any person subject to waste discharge requirements or applicants for waste discharge requirements that are prescribed pursuant to the NPDES permit program.~~

~~This bill, with regard to a regional board, would provide that a person would not be disqualified from being a member of that board because that person receives, or has received during the previous 2 years, a significant portion of his or her income directly or indirectly from a person subject to waste discharge requirements, or an applicant for waste discharge requirements, that govern discharges not within the jurisdiction of that regional board. The bill would provide that this revised eligibility provision relating to members of a regional board shall be implemented only if certain requirements are met.~~

Vote: majority. Appropriation: no. Fiscal committee: no.  
State-mandated local program: no.

*The people of the State of California do enact as follows:*

1     ~~SECTION 1. It is the intent of the Legislature to enact~~  
2     ~~legislation to amend the state's foreclosure laws to implement and~~  
3     ~~make permanent the servicing standards and other provisions of~~  
4     ~~the National Mortgage Settlement.~~

5     ~~SECTION 1. Section 13388.1 is added to the Water Code, to~~  
6     ~~read:~~

7     ~~13388.1. (a) Notwithstanding Section 13388, a person shall~~  
8     ~~not be disqualified from being a member of a regional board~~  
9     ~~because that person receives, or has received during the previous~~  
10    ~~two years, a significant portion of his or her income directly or~~  
11    ~~indirectly from a person subject to waste discharge requirements,~~  
12    ~~or an applicant for waste discharge requirements, that govern~~  
13    ~~discharges pursuant to this chapter not within the jurisdiction of~~  
14    ~~that regional board.~~

15    ~~(b) This section shall be implemented only if the United States~~  
16    ~~Environmental Protection Agency either determines that no~~  
17    ~~program approval is necessary, or approves of a change in~~  
18    ~~California's national pollutant discharge elimination system~~  
19    ~~program, to allow the state to administer the national pollutant~~

- 1 ~~discharge elimination system permit program consistent with~~
- 2 ~~subdivision (a).~~

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